

REMARKS

Claims 1-6 and 8-15 remain pending in the application.

No new issues are raised, nor is further search required, as a result of this amendment. It is therefore respectfully requested that the Amendment be entered.

Claims 1, 3-6 and 8-14 over Castro

In the Office Action, claims 1, 3-6 and 8-14 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 4,387,272 to Castro et al. ("Castro"). The Applicants respectfully traverse the rejection.

Claims 1 and 3 recite a ring signal bypass module to cause a voice messaging system to direct an incoming call to a voice recorder/playback module without an audible ring signal to announce the incoming call by the voice messaging system. Claims 4-6 and 8-11 recite answering an incoming call by a voice messaging system without an audible ring signal to announce the incoming call by the voice messaging system. Claims 12-14 recite bypassing an audible ring signal by a voice messaging system announcing an incoming call from a calling party to the voice messaging system.

Thus, a very important feature of the present invention is the ability of the CALLING party to be directed immediately to an answering machine to leave a message, WITHOUT disturbing the called party by producing an AUDIBLE RING SIGNAL to announce the incoming call.

The Examiner cites Castro for allegedly disclosing a ring signal bypass module, in particular column 8, lines 14-37. The Examiner interprets Castro as allegedly disclosing that the "ring detector detects an incoming telephone call, signals the confirmation tone generator, the confirmation tone generator waits for a code from the caller without prompting the caller for the code, after a few second[s] (sic) transfers the incoming call to the answering machine 165 to record the caller message without alerting the called party for the incoming call." (Office Action at 3)

The most important portion of this passage quoted by the Examiner, "without alerting the called party for the incoming call", is not

found within the passage cited by the Examiner. In fact, such teaching is NOWHERE within the Castro reference. There's a reason for that—Castro clearly teaches the OPPOSITE of the present invention by teaching the use of an AUDIBLE RING SIGNAL to the called party.

For instance, within the passage on col. 8, lines 14-37 cited by the Examiner, Castro indicates a 5 second timer (line 18). This agrees with the earlier teaching at col. 7, line 23, of the use of “two trains of ringing signals.” Castro teaches a traditional answering machine function of answering after a given number of audible ring signals are produced, such as at col. 7, line 35, where the apparatus instructs the exchange to, after the two trains of ringing signals (e.g., 5 seconds), to then stop sending the ringing signal.

Even more clear in the teaching of Castro is the instruction that the apparatus can receive “one or more trains of ringing pulses” (col. 5 at lines 45-46). The present invention relates to ZERO audible ring signals, not ONE OR MORE as taught by Castro.

Castro teaches, at col. 6, lines 14-23, that there are only TWO possibilities. The first is that the called party ANSWERS. Certainly, for the called party to answer, they must be provided with audible rings—completely contrary to the present invention which allows a calling party the ability to NOT speak with the called party, but instead go directly to their answering machine. The second possibility provided is that a time period is set, for example **30 SECONDS**, before the answering machine is activated. (emphasis added). In either possibility, it is clear that **Castro teaches that an audible ring is provided**.

Castro fails to disclose apparatus having the ability of allowing a CALLING party to be directed immediately to an answering machine to leave a message, WITHOUT disturbing the called party by producing an AUDIBLE RING SIGNAL to announce the incoming call, as variously claimed by claims 1, 3-6 and 8-14.

For at least all the above reasons, claims 1, 3-6 and 8-14 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 2 over Castro in view of Koyama

Claim 2 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Castro in view of U.S. Pat. No. 5,894,505 to Koyama (“Koyama”). The Applicants respectfully traverse the rejection.

Claim 2 is dependent from claim 1, and is patentable for all the reasons that claim 1 is patentable.

Claim 2 requires a ring signal bypass module to cause a voice messaging system to direct an incoming call to a voice recorder/playback module **without an audible ring signal to announce the incoming call by the voice messaging system.**

As explained above, Castro clearly teaches the use of an audible ring signal, (for as long as 30 seconds!) Koyama is cited as allegedly teaching the detection of a line reversal on a telephone. (Office Action at 6). However, Koyama fails to cure the SIGNIFICANT and IMPORTANT feature of claim 2 that requires an answering machine to direct an incoming call WITHOUT AN AUDIBLE RING. Rather, as explained above, Castro teaches the use of AT LEAST ONE audible ring signal.

For these reasons, claim 2 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 15 Castro in view of Borland

Claim 15 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Castro in view of U.S. Pat. No. 6,128,382 to Borland et al. (“Borland”). The Applicants respectfully traverse the rejection.

Claim 15 is dependent from claim 12, and is patentable for all the reasons that claim 12 is patentable.

Claim 15 requires **bypassing an audible ring signal by a voice messaging system** announcing an incoming call from a calling party to the voice messaging system.

As explained above, Castro clearly teaches the use of an audible ring signal, (for as long as 30 seconds!) Koyama is cited as allegedly teaching the detection of a line reversal on a telephone. (Office Action at 6). However,

Koyama fails to cure the SIGNIFICANT and IMPORTANT feature of claim 15 that requires an answering machine to direct an incoming call WITHOUT AN AUDIBLE RING. Rather, as explained above, Castro teaches the use of AT LEAST ONE audible ring signal.

For these reasons, claim 15 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

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